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September 7, 2023

VIA ECF

Hon. Arun Subramanian
United States District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

**Re: *R.E. v. Empire HealthChoice Assurance, Inc.*
Civil Action No. 1:23-cv-04390-AS
Consent Motion for Extension of Time to Respond to Complaint and for
Filing of Joint Status Report**

Your Honor:

This firm represents Defendant Empire HealthChoice Assurance, Inc. ("Empire") in the above-referenced action. With the consent of Plaintiff's counsel, Empire requests a two-week extension of time to respond to the Complaint, resulting in a new deadline of September 25, 2023.

In accordance with Your Honor's Individual Practices in Civil Cases, Empire states the following:

- The current deadline for Empire to file a response to the Complaint is September 11, 2023;
- This is Empire's second request for an extension of this deadline, the first one having been granted by this Court;
- Plaintiff's counsel has provided consent for an extension of fourteen (14) days, moving Empire's response deadline to September 25, 2023;
- An extension of time will allow for the parties to continue settlement discussions and for Empire to more adequately review the allegations of the Complaint and to prepare a defense; and
- This request is being made two business days prior to the existing September 11 deadline.

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Additionally, Plaintiff's counsel has consented to a one-week extension of time for the parties to file a Joint Status Report pursuant to this Court's Notice of Reassignment (Docket No. 11), and Empire states the following:

- The current deadline for the parties to file a Joint Status Report is 5:00PM on September 11, 2023;
- This is Empire's first request for an extension of this deadline;
- Plaintiff's counsel has provided consent for an extension of one week, moving Empire's response deadline to September 18, 2023;
- An extension of time will allow for the parties to continue settlement discussions and for Empire to more adequately review the allegations of the Complaint and to prepare a defense; and
- This request is being made two business days prior to the existing September 11 deadline.

The parties' next scheduled appearance before the Court is the Initial Conference on September 27, 2023.

We thank Your Honor for your consideration of this matter.

Respectfully submitted,

A handwritten signature in black ink that reads "Valerie Sirota".

Valerie Sirota

cc: All Counsel of Record (via ECF)

The requested extensions are GRANTED.
Defendant's answer will now be due
September 25, 2023, at 5:00 p.m.

SO ORDERED.

A handwritten signature in black ink, likely belonging to Arun Subramanian, consisting of stylized initials and a surname.

Arun Subramanian, U.S.D.J.
Date: September 11, 2023